

SENATE BILL REPORT

ESB 6034

As Amended by House, March 7, 2014

Title: An act relating to state parks partnership opportunities.

Brief Description: Concerning state parks partnership opportunities.

Sponsors: Senators Pearson, Hargrove, McCoy, Mullet and McAuliffe; by request of Parks and Recreation Commission.

Brief History:

Committee Activity: Natural Resources & Parks: 1/16/14, 1/21/14 [DP].

Passed Senate: 2/12/14, 45-3.

Passed House: 3/07/14, 77-20.

SENATE COMMITTEE ON NATURAL RESOURCES & PARKS

Majority Report: Do pass.

Signed by Senators Pearson, Chair; Dandel, Hargrove, Hewitt, Kline and Parlette.

Staff: Richard Rodger (786-7401)

Background: State Parks Interpretation Authority. Under current law, the State Parks and Recreation Commission (State Parks) has the broad authority to manage the use, care, and administration of state parks. Specifically, State Parks may provide environmental interpretive activities for purposes that:

- explain the functions, history, and cultural aspects of ecosystems;
- explain the relationship between human needs, human behaviors and attitudes, and the environment; and
- offer experiences and information to increase appreciation and stewardship of the environment and its uses.

State Parks may solicit assistance from and enter into agreements with private organizations and public agencies interested in conservation and environmental interpretation. No commercial advertising is allowed under these agreements, but logos or sponsorship credit lines are permitted.

State Parks Gift Foundation. In 2000 the Legislature directed the creation of the State Parks Gift Foundation (Foundation) to solicit support for State Parks, cooperate with other

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organizations, and encourage gifts to support State Parks. The Legislature established requirements for initial board membership, terms, and succession. Among its other roles, the Foundation awards grants to State Parks for eligible projects submitted to the Foundation for funding.

Summary of Engrossed Bill: State Parks Interpretation Authority. The interpretation role of State Parks is reemphasized and modified to include scenic, natural, cultural, and historical interpretive activities. This includes specifying authority to:

- explain the diverse human heritage and cultural changes over time in the state;
- offer experiences and information to increase understanding, appreciation, and stewardship of natural, cultural, ethnic, and artistic heritage; and
- explain the need for and methods to achieve natural, cultural, and historical resource protection and preservation.

The specific prohibition on commercial advertising in state parks is removed. The commission, in consultation with the Department of Archaeology and Historic Preservation, must follow specified standards and conditions before approving advertising on or in State Parks lands or buildings.

State Parks is granted general authority to solicit assistance and enter into agreements with other public agencies, the State Parks Foundation, private entities, employee business units, and tribes that are interested in stewardship and interpretation. Considerations in entering into such agreements include the entity's financial ability to meet its responsibilities, the entity's expertise in performing the duties, the resulting financial benefit to the state, and whether the agreement advances the public purpose of state parks. All agreements must include performance measures. State Parks' authority to enter into partnership agreements does not include the ability to change the name of a state park after a corporate or commercial entity, product, or service.

State Parks Foundation. The Foundation name is revised to eliminate the word "gift" from its title. The Foundation's purpose is expanded to include the support of groups and organizations willing to contribute to the operation, instead of just the preservation, restoration, and enhancement, of the state park system.

In addition to providing grants to State Parks, the Foundation may award funds to friend groups and other organizations which propose projects or programs that are for the sole benefit of state parks.

The terms, method of appointment, and authority of the Foundation's board of directors are established under the statutes governing nonprofit corporations.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: This bill provides useful tools for state parks to move toward fiscal sustainability. It allows for financial support for volunteer institutions thus potentially increasing philanthropic support and relieving pressure off governmental institutions. Furthermore, section four of the bill increases accountability when entering into any future partnership agreements and provides a useful safeguard for statewide public interests. The bill also defines authority and removes statutory barriers to help the agency increase revenues and reduce costs. It allows state parks to remain competitive in the realm of public leisure time choice, broadens public appeal and allows parks to offer a wider array of programming. Moreover, the bill eliminates blanket prohibitions on advertising. The bill also facilitates closer relationships between local park agencies, state park agencies, and the Foundation. Local parks already have a similar authority in place. In addition to legislation such as this, additional general funds will still be necessary to adequately fund state parks. Healthy state park systems are critical to the health and vitality of economy, preservation of national resources, value of neighborhoods, and public health.

Persons Testifying: PRO: Bill Clarke, Trust for Public Land; Juelie Dalzell, Back Country Horsemen of WA; Brian Yearout, WA Federation of State Employees; Daniel Farber, State Parks; Ralph Munro, former Secretary of State; Doug Levy, WA Recreation and Parks Assn.; Peter Reid, WA State Parks Foundation; Majken Ryherd, WA Wildlife & Recreation Coalition; Allyson Brooks, Dept. of Archaeology and Historical Preservation.

House Amendment(s): Places the following additional conditions on commercial advertising associated with State Parks lands and activities:

- Provides that State Parks may only permit commercial advertising if it does not present a potential conflict of interest due to regulatory or business relationships with the advertising entity;
- Encourages State Parks to use its advertising authority to promote local economic development, public health goals or principles, and park visitor awareness of available services;
- Requires State Parks to adopt standards for commercial advertising that prohibit content that is obscene or offensive, advocacy material, or which encourages or depicts certain unsafe products, messages, or services, including tobacco or cannabis; and
- Prohibits State Parks from naming a state park after a commercial entity, product, or service in conjunction with commercial advertising.